

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO SENTENCING MINUTE SHEET											
CR No:		18-3409 KG			USA vs.:		GONZALEZ-SEBASTIAN, ET AL.				
Date:		3/26/2019			Name of Deft:		TOMAS FELICIANO FRANCISCO-PEDRO				
Before the Honorable:				KENNETH J. GONZALES, UNITED STATES DISTRICT JUDGE							
Time In/Out:		8:59-9:23 AM			Total Time in Court (for JS10):		24 MINUTES				
Clerk:		YVONNE CORONADO			Court Reporter:		DANNA SCHUTTE EVERETT				
AUSA:		LUIS MARTINEZ			Defendant's Counsel:		ANDRE POISSANT				
Sentencing in:		LAS CRUCES			Interpreter:		EDITH MONROY				
Probation Officer:		RHIANNON WORK			Sworn?		X	Yes		No	
Convicted on:		X	Plea		Verdict	As to:		X	Information		Indictment
If Plea:		X	Accepted		Not Accepted	Adjudged/Found Guilty on Counts:					
If Plea Agreement:		X	Accepted		Not Accepted	No Plea Agreement		Comments:			
Date of Plea/Verdict:		1/8/2019			PSR:		X	Not Disputed		Disputed	
PSR:		X	Court Adopts PSR Findings			Evidentiary Hearing:		X	Not Needed		Needed
Exceptions to PSR:		COURT VARIES; PAGE 2 CORRECTION TO DOB; PAGE 6, PARAGRAPH 39 CORRECTION TO SPELLING OF HOMETOWN AND PAGE 7, PARAGRAPH 44, EDUCATION WAS IN GUATEMALA NOT MEXICO									
SENTENCE IMPOSED				Imprisonment (BOP): 244 DAYS OR TIME SERVED, WHICHEVER IS LESS							
Supervised Release:		1 YEAR UNSUPERVISED RELEASE			Probation:						
500-HOUR DRUG PROGRAM				BOP SEX OFFENDER PROGRAM				OTHER:			
X	Court recommends ICE begin removal proceedings immediately or during service of sentence								ICE not applicable		
SPECIAL CONDITIONS OF SUPERVISION											
X	No re-entry without legal authorization				Home confinement for ____ months ____ days						
	Comply with ICE laws and regulations				Community service for ____ months ____ days						
	Participate in/successfully complete subst abuse program/testing				Reside halfway house ____ months ____ days						
	Participate in/successfully complete mental health program				Register as sex offender						
	Refrain from use/possession of alcohol/intoxicants				Participate in sex offender treatment program						
	Submit to search of person/property				Possess no sexual material						
	No contact with victim(s) and/or co-deft(s)/co-conspirator(s)				No computer with access to online services						
	OTHER:										
Fine: \$					Restitution: \$						
SPA: \$		WAIVED (\$100) as to each Count			Payment Schedule:			Due Imm.	X	Waived	
OTHER:		The defendant is subject to the provisions of the Justice for Victims of Trafficking Act of 2015, which requires the Court to assess an amount of \$5,000 on any non-indigent person or entity convicted of an offense under 18 U.S.C. Chapters 77, 109A, 110, 117; or Section 274 of the Immigration and Nationality Act (8 U.S.C. § 1324). The Court finds the defendant is indigent and will not be required to pay the \$5,000 assessment.									
	Advised of Right to Appeal		X	Waived Appeal Rights per Plea Agreement							
X	Held in Custody			Voluntary Surrender							
		Recommended place(s) of incarceration:									
		Dismissed Counts:									
OTHER COMMENTS:				DEFENSE COUNSEL STATES A SENTENCE 244 DAYS TO BE APPROPRIATE, IN THE ALTERNATIVE WOULD ASK FOR 12 MONTHS AND 1 DAY. GOVERNMENT RECOMMENDS 12 MONTHS AND 1 DAY, HOWEVER, DOES NOT OBJECT TO A TIME SERVED SENTENCE. GOVERNMENT MAKES ORAL MOTION TO DISMISS INDICTMENT. COURT GRANTS ORAL MOTION; COUNSEL TO FILE A MOTION AND ORDER WITH THE COURT. DEFENDANT ALLOCUTES							